

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

<p>Aaron Rhy Broussard,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>United States of America; Thomas M. Hollenhorst; Melinda W. Williams; Charles J. Novats, Jr.; and U.S. Department of Justice,</p> <p style="text-align: center;">Respondents.</p>	<p>Case No. 22-CV-0385 (SRN/TNL)</p> <p style="text-align: center;">ORDER</p>
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SUSAN RICHARD NELSON, United States District Judge

This matter is before the Court on review of petitioner Aaron Rhy Broussard’s petition for a writ of habeas corpus pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts.¹ As a result of that review, Broussard’s petition will be denied for the reasons set forth in the order of dismissal entered in *Broussard v. United States*, No. 21-CV-2484 (SRN/LIB), 2021 WL 5868719, at *1-2 (D. Minn. Nov. 18, 2021). Broussard’s motion for a temporary restraining order [Doc. No. 5] is denied on the grounds that there is no likelihood of success on the merits of Broussard’s claims. Broussard’s application to proceed *in forma pauperis* (“IFP”) is likewise denied, *see Kruger v. Erickson*, 77 F.3d 1071, 1074 n.3 (8th Cir. 1996) (per curiam), and any

¹ Broussard’s petition is not brought pursuant to 28 U.S.C. § 2254, but the Rules Governing Section 2254 Cases may nevertheless be applied to his petition. *See* Rule 1(b).

application by Broussard to proceed IFP on appeal will be denied on the grounds that the habeas petition and appeal are frivolous, *see* 28 U.S.C. § 1915(a)(3).

Based on the submissions and the entire file and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. The petition for a writ of habeas corpus of petitioner Aaron Rhy Broussard [Doc. No. 1] is DENIED.
2. Broussard's application to proceed *in forma pauperis* [Doc. No. 2] is DENIED.
3. Broussard's motion for a temporary restraining order [Doc. No. 5] is DENIED.
4. It is certified that any appeal taken from this dismissal would not be in good faith and that Broussard therefore will not be granted *in forma pauperis* status on appeal.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 9, 2022

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge